

To: Benjamin A. Costa(trademark@rcjlawgroup.com)
Subject: U.S. Trademark Application Serial No. 97933905 - AVID COMMUNICATIONS
Sent: February 08, 2024 10:56:16 AM EST
Sent As: tmng.notices@uspto.gov

Attachments

[5924793](#)
[3154132](#)
[3304284](#)
[5350788](#)
[5880669](#)
[screenshot-www-avid-com-17074036902521](#)
[screenshot-www-allocommunications-com-17074038175641](#)
[screenshot-www-avid-com-products-17074039056861](#)
[screenshot-www-allocommunications-com-business-cybersecurity-17074039517991](#)
[screenshot-www-avid-com-products-17074039671991](#)
[screenshot-avidsolutionsinc-com-17074040031811](#)

United States Patent and Trademark Office (USPTO)
Office Action (Official Letter) About Applicant's Trademark Application

U.S. Application Serial No. 97933905

Mark: AVID COMMUNICATIONS

Correspondence Address:

BENJAMIN A. COSTA
RIDDER, COSTA & JOHNSTONE LLP
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UNITED STATES

Applicant: Allo Communications LLC

Reference/Docket No. N/A

Correspondence Email Address: trademark@rcjlawgroup.com

NONFINAL OFFICE ACTION

Response deadline. File a response to this nonfinal Office action within three months of the “Issue date” below to avoid [abandonment](#) of the application. Review the Office action and respond using one

of the links to the appropriate electronic forms in the “How to respond” section below.

Request an extension. For a fee, applicant may [request one three-month extension](#) of the response deadline prior to filing a response. The request must be filed within three months of the “Issue date” below. If the extension request is granted, the USPTO must receive applicant’s response to this letter within six months of the “Issue date” to avoid abandonment of the application.

Issue date: February 8, 2024

The referenced application has been reviewed by the assigned trademark examining attorney. Applicant must respond timely and completely to the issue(s) below. 15 U.S.C. §1062(b); 37 C.F.R. §§2.62(a), 2.65(a); TMEP §§711, 718.03.

SUMMARY OF ISSUES:

- SECTION 2(d) REFUSAL – LIKELIHOOD OF CONFUSION;
- REQUIREMENT -- IDENTIFICATION OF GOODS AND SERVICES;
- MULTIPLE-CLASS APPLICATION REQUIREMENTS; and
- REQUIREMENT – DISCLAIMER.

SECTION 2(d) REFUSAL – LIKELIHOOD OF CONFUSION

Registration of the applied-for mark is refused because of a likelihood of confusion with the marks in U.S. Registration Nos. 5924793, 3154132, 3304284, and 5350788, owned by Avid Technology, Inc., and 5880669, owned by Avid Solutions, Inc. Trademark Act Section 2(d), 15 U.S.C. §1052(d); *see* TMEP §§1207.01 *et seq.* See the attached registrations.

Applicant’s mark is AVID COMMUNICATIONS & Design for:

- International Class 038: Voice over internet protocol (VOIP) services; Internet service provider (ISP) services; Digital network telecommunications services; and
- International Class 042: Internet and network security consultancy; Firewall software and hardware maintenance and installation; Computer network design for others; Information technology consulting relating to computer network design; Rental and lease of telephone, computer, and network systems hardware; Software as a Service (SaaS), namely, software for the management of contact and call centers for others; Telecommunications infrastructure equipment and design; Providing managed information and network security services.

The cited registrations are:

1. 5924793, AVID, owned by Avid Technology, Inc., for Computer consultation in the field of computer security; software as a service (SAAS) services, namely, hosting software for use by others for producing, editing, managing and distributing images, graphics, sounds, videos and musical scores; providing on-line non-downloadable software for online storage of data;
2. 3154132, AVID, owned by Avid Technology, Inc., for Design, development and implementation

- of software; Installation of computer software; Technical support services, namely, troubleshooting of computer hardware and software problems;
3. 3304284, AVID, owned by Avid Technology, Inc., for Installation of computer networks; Installation of computer systems;
 4. 5350788, AVID EVERYWHERE, owned by Avid Technology, Inc., for Design, development and implementation of software; installation of computer software; technical support services, namely, troubleshooting in the nature of diagnosing computer hardware and software problems; software as a service (SAAS) services, namely, hosting software for use by others; providing on-line non-downloadable software featuring online storage of data; and
 5. 5880669, AVID RUN BETTER & Design, owned by Avid Solutions, Inc., for Installation and maintenance of manufacturing and industrial facility automation, control, cybersecurity, and smart manufacturing and execution systems; Design of manufacturing and industrial facility automation, control, cybersecurity, and smart manufacturing and execution systems; Design, technical, and technological consulting in the fields of industrial automation, industrial information and control system design and implementation, industrial information technology network design, implementation and operation, and smart manufacturing.

Standard of Law

Trademark Act Section 2(d) bars registration of an applied-for mark that is so similar to a registered mark that it is likely consumers would be confused, mistaken, or deceived as to the commercial source of the goods and/or services of the parties. *See* 15 U.S.C. §1052(d). Likelihood of confusion is determined on a case-by-case basis by applying the factors set forth in *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A. 1973) (called the “*du Pont* factors”). *In re i.am.symbolic, llc*, 866 F.3d 1315, 1322, 123 USPQ2d 1744, 1747 (Fed. Cir. 2017). Any evidence of record related to those factors need be considered; however, “not all of the *DuPont* factors are relevant or of similar weight in every case.” *In re Guild Mortg. Co.*, 912 F.3d 1376, 1379, 129 USPQ2d 1160, 1162 (Fed. Cir. 2019) (quoting *In re Dixie Rests., Inc.*, 105 F.3d 1405, 1406, 41 USPQ2d 1531, 1533 (Fed. Cir. 1997)).

Although not all *du Pont* factors may be relevant, there are generally two key considerations in any likelihood of confusion analysis: (1) the similarities between the compared marks and (2) the relatedness of the compared goods and/or services. *See In re i.am.symbolic, llc*, 866 F.3d at 1322, 123 USPQ2d at 1747 (quoting *Herbko Int’l, Inc. v. Kappa Books, Inc.*, 308 F.3d 1156, 1164-65, 64 USPQ2d 1375, 1380 (Fed. Cir. 2002)); *Federated Foods, Inc. v. Fort Howard Paper Co.*, 544 F.2d 1098, 1103, 192 USPQ 24, 29 (C.C.P.A. 1976) (“The fundamental inquiry mandated by [Section] 2(d) goes to the cumulative effect of differences in the essential characteristics of the goods [or services] and differences in the marks.”); TMEP §1207.01.

Comparison of the Marks

Identical Marks

In a likelihood of confusion determination, the marks in their entirety are compared for similarities in appearance, sound, connotation, and commercial impression. *In re i.am.symbolic, llc*, 866 F.3d 1315, 1323, 123 USPQ2d 1744, 1748 (Fed. Cir. 2017); *Stone Lion Capital Partners, LP v. Lion Capital LLP*, 746 F.3d 1317, 1321, 110 USPQ2d 1157, 1160 (Fed. Cir. 2014) (quoting *Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondee En 1772*, 396 F.3d 1369, 1371, 73 USPQ2d 1689, 1691 (Fed. Cir. 2005)); *In re E. I. du Pont de Nemours & Co.*, 476 F.2d 1357, 1361, 177 USPQ 563, 567 (C.C.P.A.

1973); TMEP §1207.01(b)-(b)(v).

In the present case, applicant's mark is AVID and several of the registrants' marks are AVID. These marks are identical in appearance, sound, and meaning, "and have the potential to be used . . . in exactly the same manner." *In re i.am.symbolic, llc*, 116 USPQ2d 1406, 1411 (TTAB 2015), *aff'd*, 866 F.3d 1315, 123 USPQ2d 1744 (Fed. Cir. 2017). Additionally, because they are identical, these marks are likely to engender the same connotation and overall commercial impression when considered in connection with applicant's and registrant's respective goods and/or services. *Id.*

Therefore, the marks are confusingly similar.

Dominant Term

Applicant's mark is AVID COMMUNICATIONS & Design. Registrants' marks are AVID EVERYWHERE and AVID RUN BETTER & Design.

Marks are compared in their entireties for similarities in appearance, sound, connotation, and commercial impression. *Stone Lion Capital Partners, LP v. Lion Capital LLP*, 746 F.3d 1317, 1321, 110 USPQ2d 1157, 1160 (Fed. Cir. 2014) (quoting *Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondee En 1772*, 396 F.3d 1369, 1371, 73 USPQ2d 1689, 1691 (Fed. Cir. 2005)); TMEP §1207.01(b)-(b)(v). "Similarity in any one of these elements may be sufficient to find the marks confusingly similar." *In re Inn at St. John's, LLC*, 126 USPQ2d 1742, 1746 (TTAB 2018) (citing *In re Davia*, 110 USPQ2d 1810, 1812 (TTAB 2014)), *aff'd per curiam*, 777 F. App'x 516, 2019 BL 343921 (Fed. Cir. 2019); TMEP §1207.01(b).

Marks may be confusingly similar in appearance where similar terms or phrases or similar parts of terms or phrases appear in the compared marks and create a similar overall commercial impression. *See Crocker Nat'l Bank v. Canadian Imperial Bank of Commerce*, 228 USPQ 689, 690-91 (TTAB 1986), *aff'd sub nom. Canadian Imperial Bank of Commerce v. Wells Fargo Bank, Nat'l Ass'n*, 811 F.2d 1490, 1495, 1 USPQ2d 1813, 1817 (Fed. Cir. 1987) (holding COMMCASH and COMMUNICASH confusingly similar); *In re Corning Glass Works*, 229 USPQ 65, 66 (TTAB 1985) (holding CONFIRM and CONFIRMCELLS confusingly similar); *In re Pellerin Milnor Corp.*, 221 USPQ 558, 560 (TTAB 1983) (holding MILTRON and MILLTRONICS confusingly similar); TMEP §1207.01(b)(ii)-(iii).

Although marks are compared in their entireties, one feature of a mark may be more significant or dominant in creating a commercial impression. *See In re Detroit Athletic Co.*, 903 F.3d 1297, 1305, 128 USPQ2d 1047, 1050 (Fed. Cir. 2018) (citing *In re Dixie Rests.*, 105 F.3d 1405, 1407, 41 USPQ2d 1531, 1533-34 (Fed. Cir. 1997)); TMEP §1207.01(b)(viii), (c)(ii). Greater weight is often given to this dominant feature when determining whether marks are confusingly similar. *See In re Detroit Athletic Co.*, 903 F.3d at 1305, 128 USPQ2d at 1050 (citing *In re Dixie Rests.*, 105 F.3d at 1407, 41 USPQ2d at 1533-34).

Consumers are generally more inclined to focus on the first word, prefix, or syllable in any trademark or service mark. *See Palm Bay Imps., Inc. v. Veuve Clicquot Ponsardin Maison Fondee En 1772*, 396 F.3d 1369, 1372, 73 USPQ2d 1689, 1692 (Fed. Cir. 2005) (finding similarity between VEUE ROYALE and two VEUE CLICQUOT marks in part because "VEUE . . . remains a 'prominent feature' as the first word in the mark and the first word to appear on the label"); *Century 21 Real Estate Corp. v. Century Life of Am.*, 970 F.2d 874, 876, 23 USPQ2d 1698, 1700 (Fed. Cir. 1992) (finding similarity between CENTURY 21 and CENTURY LIFE OF AMERICA in part because "consumers

must first notice th[e] identical lead word”); *see also In re Detroit Athletic Co.*, 903 F.3d 1297, 1303, 128 USPQ2d 1047, 1049 (Fed. Cir. 2018) (finding “the identity of the marks’ two initial words is particularly significant because consumers typically notice those words first”).

Although marks are compared in their entireties, one feature of a mark may be more significant or dominant in creating a commercial impression. *See In re Detroit Athletic Co.*, 903 F.3d 1297, 1305, 128 USPQ2d 1047, 1050 (Fed. Cir. 2018) (citing *In re Dixie Rests.*, 105 F.3d 1405, 1407, 41 USPQ2d 1531, 1533-34 (Fed. Cir. 1997)); TMEP §1207.01(b)(viii), (c)(ii). Matter that is descriptive of or generic for a party’s goods and/or services is typically less significant or less dominant in relation to other wording in a mark. *See Anheuser-Busch, LLC v. Innvopak Sys. Pty Ltd.*, 115 USPQ2d 1816, 1824-25 (TTAB 2015) (citing *In re Chatam Int’l Inc.*, 380 F.3d 1340, 1342-43, 71 USPQ2d 1944, 1946 (Fed. Cir. 2004)).

Adding a term to a registered mark generally does not obviate the similarity between the compared marks, as in the present case, nor does it overcome a likelihood of confusion under Section 2(d). *See Coca-Cola Bottling Co. v. Jos. E. Seagram & Sons, Inc.*, 526 F.2d 556, 557, 188 USPQ 105, 106 (C.C.P.A. 1975) (holding BENGAL and BENGAL LANCER and design confusingly similar); *In re Toshiba Med. Sys. Corp.*, 91 USPQ2d 1266, 1269 (TTAB 2009) (holding TITAN and VANTAGE TITAN confusingly similar); *In re El Torito Rests., Inc.*, 9 USPQ2d 2002, 2004 (TTAB 1988) (holding MACHO and MACHO COMBOS confusingly similar); TMEP §1207.01(b)(iii). In the present case, the marks are identical in part.

Design Section

In addition, the word portion of the mark is the dominant portion of the mark. When evaluating a composite mark consisting of words and a design, the word portion is normally accorded greater weight because it is likely to make a greater impression upon purchasers, be remembered by them, and be used by them to refer to or request the goods and/or services. *In re Vittera Inc.*, 671 F.3d 1358, 1362, 101 USPQ2d 1905, 1908 (Fed. Cir. 2012) (quoting *CBS Inc. v. Morrow*, 708 F.2d 1579, 1581-82, 218 USPQ 198, 200 (Fed. Cir. 1983)); *Made in Nature, LLC v. Pharmavite LLC*, 2022 USPQ2d 557, at *41 (TTAB 2022) (quoting *Sabhnani v. Mirage Brands, LLC*, 2021 USPQ2d 1241, at *31 (TTAB 2021)); TMEP §1207.01(c)(ii). Thus, although marks must be compared in their entireties, the word portion is often considered the dominant feature and is accorded greater weight in determining whether marks are confusingly similar, even where the word portion has been disclaimed. *In re Vittera Inc.*, 671 F.3d at 1366-67, 101 USPQ2d at 1911 (citing *Giant Food, Inc. v. Nation’s Foodservice, Inc.*, 710 F.2d 1565, 1570-71, 218 USPQ2d 390, 395 (Fed. Cir. 1983)).

Therefore, the marks have closely similar appearances, sound, meanings, and overall commercial impressions, such that this factor weighs in favor of a likelihood of confusion.

Comparison of the Goods and Services and Trade Channels

Applicant’s goods/services are

- International Class 038: Voice over internet protocol (VOIP) services; Internet service provider (ISP) services; Digital network telecommunications services; and
- International Class 042: Internet and network security consultancy; Firewall software and hardware maintenance and installation; Computer network design for others; Information technology consulting relating to computer network design; Rental and lease of telephone,

computer, and network systems hardware; Software as a Service (SaaS), namely, software for the management of contact and call centers for others; Telecommunications infrastructure equipment and design; Providing managed information and network security services.

Registrants' goods/services are:

1. 5924793, AVID, owned by Avid Technology, Inc., for Computer consultation in the field of computer security; software as a service (SAAS) services, namely, hosting software for use by others for producing, editing, managing and distributing images, graphics, sounds, videos and musical scores; providing on-line non-downloadable software for online storage of data;
2. 3154132, AVID, owned by Avid Technology, Inc., for Design, development and implementation of software; Installation of computer software; Technical support services, namely, troubleshooting of computer hardware and software problems;
3. 3304284, AVID, owned by Avid Technology, Inc., for Installation of computer networks; Installation of computer systems;
4. 5350788, AVID EVERYWHERE, owned by Avid Technology, Inc., for Design, development and implementation of software; installation of computer software; technical support services, namely, troubleshooting in the nature of diagnosing computer hardware and software problems; software as a service (SAAS) services, namely, hosting software for use by others; providing on-line non-downloadable software featuring online storage of data; and
5. 5880669, AVID RUN BETTER & Design, owned by Avid Solutions, Inc., for Installation and maintenance of manufacturing and industrial facility automation, control, cybersecurity, and smart manufacturing and execution systems; Design of manufacturing and industrial facility automation, control, cybersecurity, and smart manufacturing and execution systems; Design, technical, and technological consulting in the fields of industrial automation, industrial information and control system design and implementation, industrial information technology network design, implementation and operation, and smart manufacturing.

Applicant's and Registrant's Goods and/or Services Are Related

The compared goods and/or services need not be identical or even competitive to find a likelihood of confusion. *See On-line Careline Inc. v. Am. Online Inc.*, 229 F.3d 1080, 1086, 56 USPQ2d 1471, 1475 (Fed. Cir. 2000); *Recot, Inc. v. Becton*, 214 F.3d 1322, 1329, 54 USPQ2d 1894, 1898 (Fed. Cir. 2000); TMEP §1207.01(a)(i). They need only be "related in some manner and/or if the circumstances surrounding their marketing are such that they could give rise to the mistaken belief that [the goods and/or services] emanate from the same source." *Coach Servs., Inc. v. Triumph Learning LLC*, 668 F.3d 1356, 1369, 101 USPQ2d 1713, 1722 (Fed. Cir. 2012) (quoting *7-Eleven Inc. v. Wechsler*, 83 USPQ2d 1715, 1724 (TTAB 2007)); TMEP §1207.01(a)(i); *see Made in Nature, LLC v. Pharmavite LLC*, 2022 USPQ2d 557, at *44 (TTAB 2022) (quoting *In re Jump Designs LLC*, 80 USPQ2d 1370, 1374 (TTAB 2006)).

Here, applicant's goods/services and registrant's goods/services are related because they are commonly offered by the same companies under the same mark and sold through the same trade channels to the same consumers. Therefore, consumers are accustomed to these goods/services emanating from the same source. The applicant and the registrant's offer services related to computer and network security, computer and network design and installation, and computer and network consulting services. These are the types of services offered by the same entities, and in fact, the services of the applicant are offered by the registrants and the services of the registrants are offered by the applicant.

The attached Internet evidence, consisting of screenshots from the websites of the applicant and the registrants, establishes that the relevant goods and/or services are sold or provided through the same trade channels and used by the same classes of consumers in the same fields of use. Thus, applicant's and registrant's goods and/or services are considered related for likelihood of confusion purposes. *See, e.g., In re Davey Prods. Pty Ltd.*, 92 USPQ2d 1198, 1202-04 (TTAB 2009); *In re Toshiba Med. Sys. Corp.*, 91 USPQ2d 1266, 1268-69, 1271-72 (TTAB 2009).

Therefore, applicant's goods and/or services are related to registrant's goods and/or services which weighs in favor of a likelihood of confusion.

Conclusion

In sum, the similarities between the marks' appearances, sounds, meanings, and overall commercial impressions combined with the close relationship between the goods and/or services results in a likelihood of confusion and registration is refused under Section 2(d) of the Trademark Act.

Although applicant's mark has been refused registration, applicant may respond to the refusal(s) by submitting evidence and arguments in support of registration. If applicant responds to the refusal(s), applicant must also respond to the requirement(s) set forth below.

REQUIREMENT -- IDENTIFICATION OF GOODS AND SERVICES

Applicant must clarify the wording in the identification of goods and/or services in International Class(es) 042 because it is indefinite and too broad. *See* 37 C.F.R. §2.32(a)(6); TMEP §§1402.01, 1402.03. This wording is indefinite because it does not make clear what the goods and/or services are. Further, this wording could identify goods and/or services in more than one international class. For example, hardware maintenance and installation services are in International Class 037 and Software maintenance and installation services are in International Class 042.

Applicant may substitute the following wording, if accurate:

International Class 038 [acceptable as written]

Voice over internet protocol (VOIP) services; Internet service provider (ISP) services; Digital network telecommunications services; and

International Class 042

Internet and **computer** network security consultancy; **computer** Firewall software **and hardware**[Class 037] maintenance and installation; Computer network design for others; Information technology consulting relating to computer network design; Rental and lease of telephone, computer, and network systems hardware; ~~Software as a Service (SaaS), namely, software for the management of contact and call centers for others~~[the applicant must specify the function of the software as well as the field]; ~~Telecommunications infrastructure equipment and design~~Design of telecommunications infrastructure equipment; ~~Providing managed information and network security services~~Computer security services, namely, enforcing, restricting and controlling access privileges of users of computing resources for cloud, mobile or network resources based on assigned credentials.

International Class 037

Computer firewall hardware maintenance and installation

The examining attorney notes that additional identifications and/or classifications may be applicable, depending on applicant's intended use of the mark with the identified goods/services. Applicant may amend the identification to clarify or limit the goods and/or services, but not to broaden or expand the goods and/or services beyond those in the original application or as acceptably amended. *See* 37 C.F.R. §2.71(a); TMEP §1402.06. Generally, any deleted goods and/or services may not later be reinserted. *See* TMEP §1402.07(e).

For assistance with identifying and classifying goods and services in trademark applications, please see the USPTO's online searchable [U.S. Acceptable Identification of Goods and Services Manual](#). *See* TMEP §1402.04.

MULTIPLE-CLASS APPLICATION REQUIREMENTS

Classification of goods and services is a purely administrative matter within the sole discretion of the USPTO. *See In re Faucher Indus. Inc.*, 107 USPQ2d 1355, 1357 (TTAB 2013) (quoting *In re Tee-Pak, Inc.*, 164 USPQ 88, 89 (TTAB 1969)).

The application references goods and/or services based on use in commerce in more than one international class; therefore, applicant must satisfy all the requirements below for each international class:

- (1) **List the goods and/or services by their international class number** in consecutive numerical order, starting with the lowest numbered class (for example, International Class 3: perfume; International Class 18: cosmetic bags sold empty).
- (2) **Submit a filing fee for each international class** not covered by the fee(s) already paid (view the [USPTO's current fee schedule](#)). Specifically, the application identifies goods and/or services based on use in commerce that are classified in at least three classes; however, applicant submitted a fee(s) sufficient for only two class(es). Applicant must either (a) submit the filing fees for the classes not covered by the submitted fees or (b) restrict the application to the number of classes covered by the fees already paid.
- (3) **Submit verified dates of first use of the mark** anywhere and in commerce **for each international class**. [See more information about verified dates of use.](#)
- (4) **Submit a specimen for each international class**. The current specimen is acceptable for class(es) 042; and applicant needs a specimen for class(es) 037 and 038. [See more information about specimens.](#)

Examples of specimens. Specimens for goods include a photograph of (1) the actual goods bearing the mark; (2) an actual container, packaging, tag or label for the goods bearing the mark; or (3) a point-of-sale display showing the mark directly associated with the goods. *See* 37 C.F.R. §2.56(b)(1), (c); TMEP §904.03(a)-(m). A webpage specimen

submitted as a display associated with the goods must show the mark in association with a picture or textual description of the goods and include information necessary for ordering the goods. TMEP §904.03(i); *see* 37 C.F.R. §2.56(b)(1), (c).

Specimens for services must show a direct association between the mark and the services and include: (1) copies of advertising and marketing material, (2) a photograph of business signage or billboards, or (3) materials showing the mark in the sale, rendering, or advertising of the services. *See* 37 C.F.R. §2.56(b)(2), (c); TMEP §1301.04(a), (h)(iv)(C).

Any webpage printout or screenshot submitted as a specimen must include the webpage's URL and the date it was accessed or printed on the specimen itself, within the TEAS form that submits the specimen, or in a verified statement under 37 C.F.R. §2.20 or 28 U.S.C. §1746 in a later-filed response. *See* 37 C.F.R. §2.56(c); TMEP §§904.03(i), 1301.04(a).

(5) **Submit a verified statement** that “**The specimen was in use in commerce on or in connection with the goods and/or services listed in the application at least as early as the filing date of the application.**” [See more information about verification.](#)

See 37 C.F.R. §2.86(a); TMEP §§1403.01, 1403.02(c).

For an overview of the requirements for a Section 1(a) multiple-class application and how to satisfy the requirements online using the Trademark Electronic Application System (TEAS) form, [see the Multiple-class Application webpage.](#)

REQUIREMENT – DISCLAIMER

Applicant must provide a disclaimer of the unregistrable part(s) of the applied-for mark even though the mark as a whole appears to be registrable. *See* 15 U.S.C. §1056(a); TMEP §§1213, 1213.03(a). A disclaimer of an unregistrable part of a mark will not affect the mark's appearance. *See Schwarzkopf v. John H. Breck, Inc.*, 340 F.2d 978, 979-80, 144 USPQ 433, 433 (C.C.P.A. 1965).

Applicant must disclaim the wording “COMMUNICATIONS” because it is merely descriptive of an ingredient, quality, characteristic, function, feature, purpose, or use of applicant's goods and/or services. *See* 15 U.S.C. §§1052(e)(1), 1056(a); *DuoProSS Meditech Corp. v. Inviro Med. Devices, Ltd.*, 695 F.3d 1247, 1251, 103 USPQ2d 1753, 1755 (Fed. Cir. 2012); TMEP §§1213, 1213.03(a).

Applicant may respond to this issue by submitting a disclaimer in the following format:

No claim is made to the exclusive right to use “COMMUNICATIONS” apart from the mark as shown.

For an overview of disclaimers and instructions on how to provide one using the Trademark Electronic Application System (TEAS), [see the Disclaimer webpage.](#)

Response guidelines. For this application to proceed, applicant must explicitly address each refusal and/or requirement in this Office action. For a refusal, applicant may provide written arguments and evidence against the refusal, and may have other response options if specified above. For a requirement, applicant should set forth the changes or statements. Please [see the Responding to Office Actions](#) webpage for more information and tips on responding.

Please call or email the assigned trademark examining attorney with questions about this Office action. Although an examining attorney cannot provide legal advice, the examining attorney can provide additional explanation about the refusal(s) and/or requirement(s) in this Office action. *See* TMEP §§705.02, 709.06.

The USPTO does not accept emails as responses to Office actions; however, emails can be used for informal communications and are included in the application record. *See* 37 C.F.R. §§2.62(c), 2.191; TMEP §§304.01-.02, 709.04-.05.

How to respond. File a [response form to this nonfinal Office action](#) or file a [request form for an extension of time to file a response](#).

/Jeffrey Molinoff/
Jeffrey Molinoff
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RESPONSE GUIDANCE

- **Missing the deadline for responding to this letter will cause the application to [abandon](#).** A response or extension request must be received by the USPTO before 11:59 p.m. **Eastern Time** of the last day of the response deadline. Trademark Electronic Application System (TEAS) [system availability](#) could affect an applicant's ability to timely respond. For help resolving technical issues with TEAS, email TEAS@uspto.gov.
- **[Responses signed by an unauthorized party](#) are not accepted and can cause the application to [abandon](#).** If applicant does not have an attorney, the response must be signed by the individual applicant, all joint applicants, or someone with [legal authority to bind a juristic applicant](#). If applicant has an attorney, the response must be signed by the attorney.
- If needed, **find [contact information for the supervisor](#)** of the office or unit listed in the signature block.

5924793

AVID

Word Mark	AVID
Goods/Services	IC 042 US 100 101 Computer consultation in the field of computer security; software as a service (SAAS) services, namely, hosting software for use by others for producing, editing, managing and distributing images, graphics, sounds, videos and musical scores; providing on-line non-downloadable software for online storage of data.
Register	PRINCIPAL
Serial Number	88341281
Filing Date	2019-03-15T00:00:00
Original Filing Basis	1a
Current Filing Basis	1a
Publication Date	2019-09-17
Registration Number	5924793
Date Registered	2019-12-03
Owner	(REGISTRANT) Avid Technology, Inc. (CORPORATION; DELAWARE, USA); Attn: Trademark Administrator, 75 Blue Sky Drive, Burlington, MASSACHUSETTS 01803, UNITED STATES
Type of Mark	SERVICE MARK
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Live Dead Indicator	LIVE
Status	REGISTERED
Attorney of Record	John G. Given

Print: February 7, 2024 6:22 PM

3154132

AVID

Word Mark	AVID
Goods/Services	IC 042 US 100 101 Design, development and implementation of software; Installation of computer software; Technical support services, namely, troubleshooting of computer hardware and software problems.
Register	PRINCIPAL
Serial Number	78783187
Filing Date	2005-12-30T00:00:00
Original Filing Basis	1a
Current Filing Basis	1a
Publication Date	2006-07-18
Registration Number	3154132
Date Registered	2006-10-10
Owner	(REGISTRANT) Avid Technology, Inc. (CORPORATION; DELAWARE, USA); Attn: Trademark Administrator, 75 Blue Sky Drive, Burlington, MASSACHUSETTS 01803, UNITED STATES
Type of Mark	SERVICE MARK
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Live Dead Indicator	LIVE
Status	REGISTERED AND RENEWED
Attorney of Record	John G. Given

3304284

AVID

Word Mark	AVID
Goods/Services	IC 037 US 100 103 106 Installation of computer networks; Installation of computer systems.
Register	PRINCIPAL
Serial Number	78783180
Filing Date	2005-12-30T00:00:00
Original Filing Basis	1b
Current Filing Basis	1a
Publication Date	2006-07-11
Registration Number	3304284
Date Registered	2007-10-02
Owner	(REGISTRANT) Avid Technology, Inc. (CORPORATION; DELAWARE, USA); Attn: Trademark Administrator, 75 Blue Sky Drive, Burlington, MASSACHUSETTS 01803, UNITED STATES
Type of Mark	SERVICE MARK
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Live Dead Indicator	LIVE
Status	REGISTERED AND RENEWED
Attorney of Record	John G. Given

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5350788

AVID EVERYWHERE

Word Mark	AVID EVERYWHERE
Goods/Services	IC 042 US 100 101 Design, development and implementation of software; installation of computer software; technical support services, namely, troubleshooting in the nature of diagnosing computer hardware and software problems; software as a service (SAAS) services, namely, hosting software for use by others; providing on-line non-downloadable software featuring online storage of data.
Register	PRINCIPAL
Serial Number	86043897
Filing Date	2013-08-21T00:00:00
Original Filing Basis	1b
Current Filing Basis	1a
Publication Date	2014-04-22
Registration Number	5350788
Date Registered	2017-12-05
Owner	(REGISTRANT) Avid Technology, Inc. (CORPORATION; DELAWARE, USA); 75 Blue Sky Drive, Burlington, MASSACHUSETTS 01803, UNITED STATES
Type of Mark	SERVICE MARK
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Live Dead Indicator	LIVE
Status	SECTION 8-ACCEPTED
Attorney of Record	John G. Given

Print: February 7, 2024 6:22 PM

5880669

avid | run better

Word Mark	AVID RUN BETTER
	IC 037 US 106 100 103 Installation and maintenance of manufacturing and industrial facility automation, control, cybersecurity, and smart manufacturing and execution systems.
Goods/Services	IC 042 US 100 101 Design of manufacturing and industrial facility automation, control, cybersecurity, and smart manufacturing and execution systems; Design, technical, and technological consulting in the fields of industrial automation, industrial information and control system design and implementation, industrial information technology network design, implementation and operation, and smart manufacturing.
Register	PRINCIPAL
Serial Number	87718729
Filing Date	2017-12-13T00:00:00
Original Filing Basis	1b
Current Filing Basis	1a
Publication Date	2018-06-12
Registration Number	5880669
Date Registered	2019-10-08
Owner	(REGISTRANT) Avid Solutions, Inc. (CORPORATION; NORTH CAROLINA, USA); Suite 900, 175 Southport Drive, Morrisville, NORTH CAROLINA 27560, UNITED STATES
Type of Mark	SERVICE MARK
Mark Drawing Code	(4) STANDARD CHARACTER MARK

Live Dead Indicator	LIVE
Status	REGISTERED
Attorney of Record	E. Eric Mills

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Learn more about the future of



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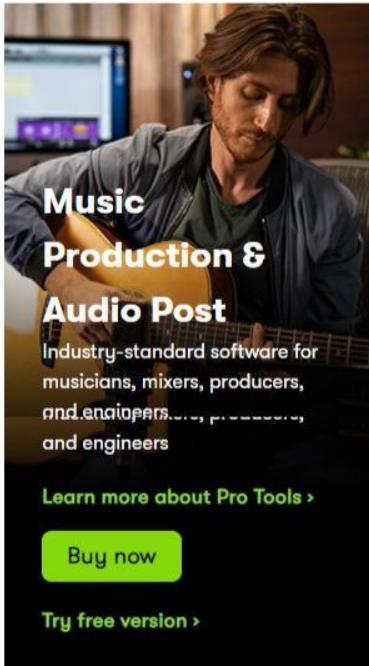
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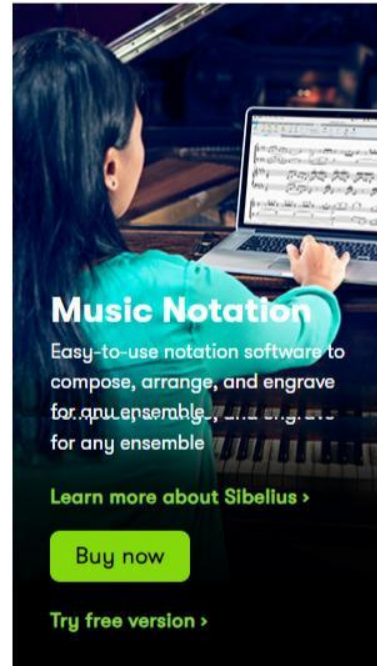
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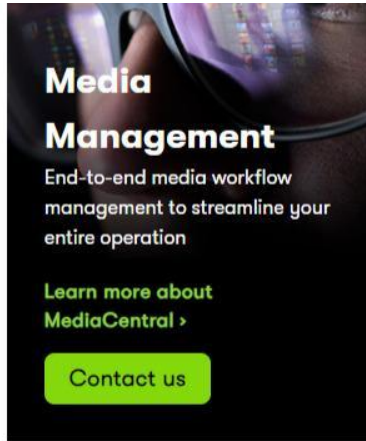
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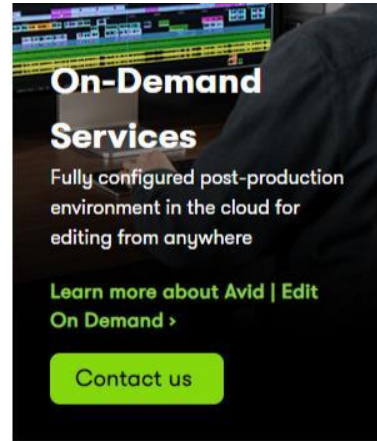


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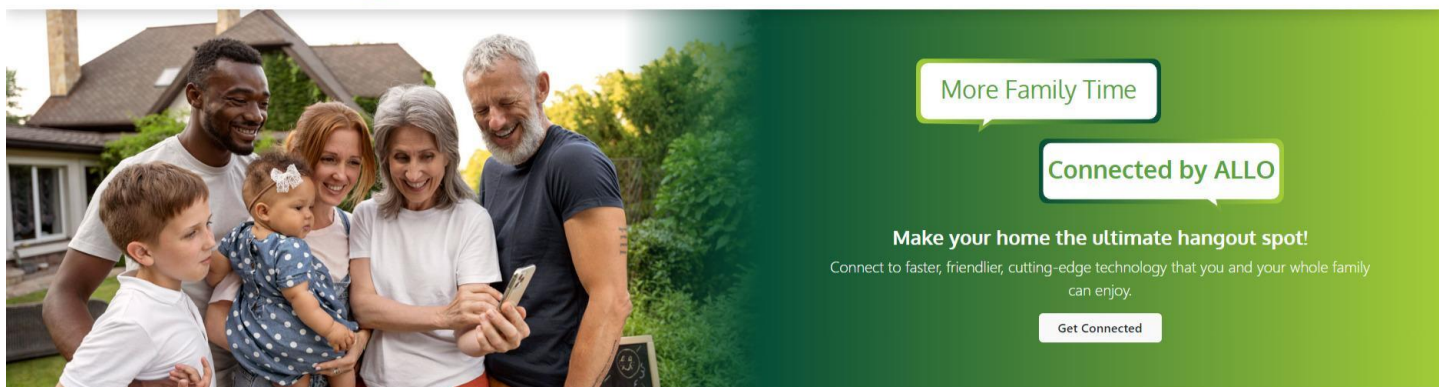
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Make your home the ultimate hangout spot!

Connect to faster, friendlier, cutting-edge technology that you and your whole family can enjoy.

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Faster, friendlier, fiber-optic service delivered to your door with a smile. Plus, we're data-cap free, because that's the way it should be.

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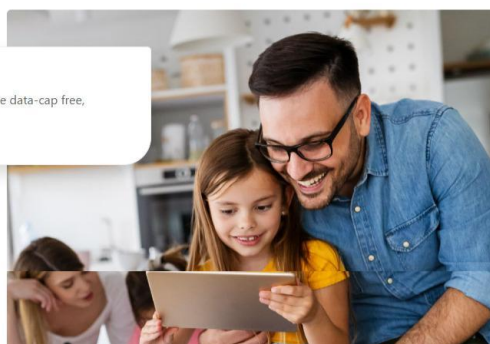
ALLO Fiber TV

Our cutting-edge fiber technology gives you better picture, better channel options, and better flexibility.

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ALLO Fiber for Business

When it comes to business, we know time is money. That's why ALLO saves you both.

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20 Years of providing meaningful connections.

We've been creating, connecting, and serving Gigabit communities since 2003.

That's 20 years of disrupting the telecom game, supporting businesses, and future-proofing communities. We couldn't have done this without your loyal support – thank you!

Our Core Values



Exceptional

Fiber internet provides faster speeds with symmetrical uploads and downloads. Plus, the ALLO Wi-Fi 6 Blast router is included FREE with all our internet packages.



Honest

We don't hide behind legal disclaimers and small print, and we won't nickel and dime you for every little thing. Honest service, no bull.



Hassle-free

No contracts, no hidden fees, no data caps - just honest, transparent pricing you never have to haggle over.



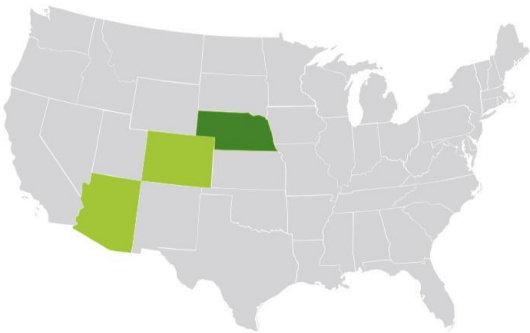
Local

We are proud to live, work, play, and volunteer in the communities we serve. We're not just faster internet; we're career creators and local advocates.

[See the ALLO Promise](#)

ALLO Fiberhoods

Nationwide, people are demanding faster, more reliable connectivity at a fair price. Our fiber footprint is growing to meet that demand.



39
Cities Served

1M+
Population Served



Nebraska

- | | |
|------------------------------|---------------------------|
| Alliance | Milford |
| Ashland | Norfolk |
| Bridgeport | North Platte |
| Columbus | Ogallala |
| Crete | Papillion |
| Fremont | Ralston |
| Gering | Scottsbluff |
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| Lincoln | |

 Your #1 Provider



Share

Your Award-Winning Service Provider

Since 2003, ALLO has vowed to put customers first and deliver a drastically different



experience. No matter where you live, work, or play, we believe you deserve an affordable, secure, and reliable connection. We're proud to have served our communities with seriously fast fiber-optic service for two decades. Thank you for trusting ALLO as your local internet, TV, and phone provider.

[Explore More](#)

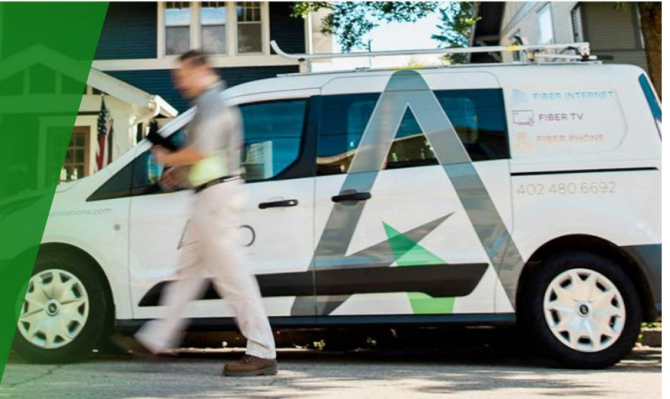
Where are we building the next ALLO Fiberhood?

Local governments all over the country are learning that high-speed internet availability is essential. Fiber connectivity dramatically improves how a community's businesses, schools, and medical offices operate and how people live and communicate. In return, this impacts a community's growth and ability to be economically vibrant.

Looking to bring ALLO to your community?

If you are a leader in your community and are interested in bringing ALLO to your city, we'd love to talk with you.

[Bring ALLO to your community »](#)

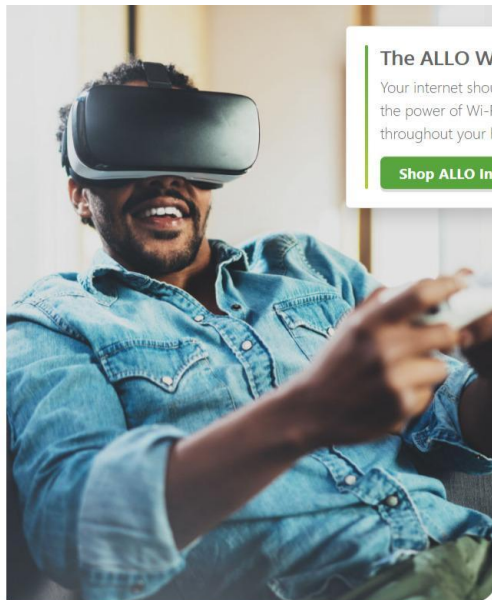


Can your current internet keep up?

At ALLO, we believe in equal speed for all. Most cable internet providers talk a big game about their "high speed" internet, but if your upload doesn't match your download, the numbers won't add up to a positive online experience. Check your numbers and see how your current provider stacks up.



[Take a Speed Test](#)

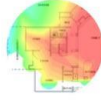


The ALLO Wi-Fi Experience

Your internet should work everywhere; we get that. With the ALLO Blast router, you get the power of Wi-Fi 6 technology and edge-to-edge coverage for strong signal and speed throughout your home.

[Shop ALLO Internet](#)[Discover ALLO Wi-Fi »](#)

Built for the modern home



Eliminate dead spots



Faster Speeds

Looking for a new GIG?

When we got our start in 2003, we saw that folks were done with lackluster support and outdated technology. We entered the telecom game to drastically change the experience for the better. If you're into disrupting the norm, thinking creatively, and getting involved locally, let's talk about GIG opportunities together.

[See Open Positions](#)

ALLO has immediate openings for:

Outside Plant
Construction
Apprentice Lineman
Traveling Role



Join a growing new OSP aerial construction team for one of the nation's highest rated broadband service providers. OSP Apprentice Lineman is responsible for performing diversified work related to the new construction and maintenance of FTTP networks. This position

supports the OSP Team and works with other associates from the department to construct and deploy all-fiber facilities throughout residential and commercial communities.

[Apply Now](#)



Calling All Military!

We've got your next mission.

Join our team and continue to make a difference. ALLO is committed to bringing the communities we serve into the fiber future by providing world-class internet, phone, and TV. We believe our service members have the skills we need and want to support you in finding your next gig.

For our commitment to employ, retain, and support veterans in our communities, ALLO was recently awarded the 2023 Platinum HIRE Vets Medallion Award by the U.S. Department of Labor.

[Find Your Mission](#)

“Working for ALLO has allowed me to easily balance my civilian employment, as well as my military duties. When I leave for military obligations, the company makes the process simple. And when I return, the team welcomes me back.

- Chance at ALLO

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Bring creative efficiency to your studio with integrated I/O, monitoring, and routing



Pro Tools | Sync X

Precision synchronizer for audio post production



scores to complement your Sibelius workflow



with the world's best-selling music notation software—on desktop and mobile.

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Industry-proven shared and nearline storage systems for audio and video workflows

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Professional video editing software and hardware



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Create better stories faster with video editing and finishing software for independent editors and moviemakers



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With video editing virtual machine technology, Media Composer | Cloud VM offers top creative tools and media remotely, boosting collaboration and efficiency



Media Composer | Distributed Processing

Enable unused or idle computers to render and transcode media, freeing up Media Composer for video editing



Media Composer | Enterprise

Customize the Media Composer interface for any role and enable



Media Composer | NewsCutter Option

Add iNEWS and ENPS systems

collaboration from anywhere

integration to Media Composer for
news editing



Media Composer | PhraseFind AI Option

Find the right clips fast with a powerful
dialog indexing and search engine
option for Media Composer



Media Composer | ScriptSync AI Option

Find the best takes and accelerate
script-based editing with a powerful
dialog search and sync option for
Media Composer



Media Composer | Symphony Option

Add advanced color correction and
Universal Mastering tools to Media
Composer



Media Composer | Ultimate

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integration, and team collaboration
with the advanced PhraseFind AI,
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over-the-shoulder collaboration
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Comprehensive Risk Management

ALLO Business doesn't just address individual risks; we offer comprehensive risk management. Our Cybersecurity solutions are designed to identify, assess, and mitigate risks across your digital landscape, ensuring the resilience of your business.

Strategic Security Planning

Security is not just a feature; it's a strategy. Our Cybersecurity goes beyond reactive measures, offering strategic security planning that aligns with your business goals. Our experts work with you to create a tailored security roadmap for sustained protection.

Strengthen your defense against cyber threats

ALLO Business brings you cutting-edge cybersecurity solutions.

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Managed Firewall Service

ALLO's Managed Firewall Service provides a robust first line of defense. Our advanced firewall solutions ensure that your business network remains secure against external threats, giving you peace of mind and control over your digital perimeter.

SIEM Support

Harness the power of Security Information and Event Management (SIEM) with ALLO. Our SIEM ensures extensive threat detection and response, providing your business with an added layer of security.

ALLO's Cybersecurity Team

ALLO's industry certified professionals design, implement and manage cybersecurity solutions that are tailored to your organization.

Comprehensive Event Logging and Retention

Stay informed and be proactive. Our detailed logs provide insights into network activity, empowering ALLO to identify and respond to potential threats.

Multi Factor Authentication

We integrate Multi Factor Authentication (MFA) best practices into our cybersecurity solutions. This integrated approach enhances overall cybersecurity, safeguarding remote connections and mitigating the risk of unauthorized access.

MDR with AI-Enabled Threat Analysis

ALLO's Managed Detection Response (MDR) threat analysis utilizes cutting-edge artificial intelligence to detect and analyze potential threats.

24x7 Monitoring and Threat Detection and Isolation

ALLO's dedicated security experts provide 24x7 monitoring and threat detection and isolation. Rest easy knowing that our team is vigilant, ready to respond to any security incidents, and safeguarding your business at all times.

Intrusion Protection

ALLO's Intrusion Protection systems are designed to detect and thwart unauthorized access attempts. Safeguard your network against potential intruders to keep your business data safe.

Anti-virus and Anti-Malware Protection

Ensure the integrity of your digital assets. Our advanced solutions safeguard your systems against malicious software, providing a resilient defense against evolving threats.

Deep Packet Inspection

Going beyond surface-level security. Our advanced inspection technology scrutinizes data packets at a granular level, identifying and preventing malicious activities before they

Secure Wi-Fi

Extend the security of your network to the wireless domain with ALLO's Secure Wi-Fi solutions. Ensure that your business's wireless connections are as secure as your wired

Local Technical Support

ALLO's commitment to your security extends to local technical support. Our team is ready to assist you with any cybersecurity concerns, providing prompt and personalized support

can infiltrate your network.

connections.

tailored to your business needs.

Work from Anywhere

Utilize SSL VPN to ensure secure access for your remote workforce.

Secure Email

ALLO's API based solution, provides an extra layer of protection against phishing, business email compromise, social engineering, and spam.

Comprehensive Network Design Services

Integrate cybersecurity from the ground up with ALLO's Cybersecurity Team. Our experts work with you to design solutions prioritizing security, ensuring a resilient foundation for your business operations.

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Technology Solutions

Ready to transform your business through cutting-edge technology? Explore our IT Managed Services and discover how ALLO can optimize your IT infrastructure, enhance security, and unlock new opportunities for growth. Elevate your technology landscape with ALLO Business today.

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Take it from our Customers



“The difference between ALLO's service versus competitor we used before is really night and day. If we had to call our previous provider, we'd get put on hold and have to hit seventeen buttons. With ALLO, a human being actually picks up the phone and you don't have to hit seventeen buttons.

Steve Maly
Founder, Maly Marketing
founder, maly marketing

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We believe in more than just providing services – we strive to be a valuable resource for your business growth. Our Thought Leadership section brings you a wealth of knowledge, insights, and innovations through our blog articles and white papers.

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Social Media Cybersecurity Risks

The holidays are here, and with that comes an uptick in the use of social media. But beware! Coal is not the only thing you should be

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Beware of Business Email Compromise Attacks

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Let's Talk



Creating, connecting, and serving Gigabit communities since 2003.



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Remotely control Pro Tools and external audio/video devices through Sony 9-pin



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Bring high-quality video into your audio production workflow



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Sync and control up to 12 Pro Tools | HD systems from a single system

AVID LINK

Social solutions for connecting and collaborating with the creative community



Avid Link

Find, connect, and collaborate with other audio and video creators with this free app



AvidPlay Music Distribution

Get started with AvidPlay for seamless music distribution on Apple Music, TIDAL, Spotify, and other streaming services

tree app

tidal, Spotify and other streaming platforms used by top-selling artists worldwide.

CONTROL SURFACES

Recording, editing, and mixing solutions for hands-on control of audio and video software and systems



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Mix wirelessly with your mobile device



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Accelerate mixing with a slimline control surface for music, audio post, and video projects



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Get the mixing power and workflows of Avid S6 in a more compact control surface



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Get touchscreen and tactile DAW control with a compact iPad-integrated surface



Avid S3

Take deep control of multiple DAWs with a compact 16-fader control surface



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Create, manage, control, and playout real-time graphics that visually enhance stories for news, sports, and live production.

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FastServe | I/O



Broadcast video servers automate media capture and playout in a single solution. See how Avid's FastServe | IO integrates with other Avid and third-party tools.

FastServe | Ingest



Avid's FastServe line of media ingest and broadcast video servers instantly capture content, offering high-speed production turnaround workflows. See how.

FastServe | Playout



Enable broadcast playout while media transfers from timeline to server with Avid FastServe ingest and broadcast video servers. Be first on air.

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Ingest multiple IP contribution streams into MediaCentral for fast-turnaround news, sports, and remote live production

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Trigger S6L snapshots and events remotely from your iPhone or iPad with this free iOS app

Avid VENUE | On-Stage



Control monitor mixes on stage remotely from your iPhone or iPad with this free iOS app

Avid VENUE | S6L



Mix and record any type of performance with a modern, customizable system

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Extend the power of the proven, collaborative production tools the media and entertainment industry relies on daily

Avid | Stream IO



Simplify production workflows with a scalable, software-based video ingest & playout solution. See how Avid | Stream IO delivers for any channel and format.

Avid NEXIS | EDGE



Enable editors, assistants, showrunners, and producers to collaborate from anywhere

MediaCentral



Accelerate news, sports, post and live productions with the most comprehensive media workflow platform

MediaCentral | Acquire



From crash recordings to recurring, scheduled recordings, MediaCentral | Acquire gives you the power to control ingest.

MediaCentral | Collaborate



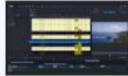
From planning stories and assigning resources, to tracking topics and tasks, MediaCentral | Collaborate keeps teams informed and connected from anywhere.

MediaCentral | Publisher



Create and publish breaking news and sports highlights, specifically tailored for digital platforms, with a click

MediaCentral | Stream



Ingest multiple IP contribution streams into MediaCentral for fast-turnaround news, sports, and remote live production

MediaCentral for Adobe

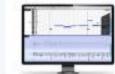


Accelerate your Premiere Pro workflow with integrated Avid media management and storage

MUSIC NOTATION

Music composition, performance, and publishing solutions

AudioScore Ultimate



Transcribe recorded or live audio to music notation for working in Sibelius

Avid Premium Cloud Plans



Expand your storage space for Pro Tools Cloud Collaboration and Sibelius | Cloud Sharing

PhotoScore & NotateMe Ultimate



Scan printed music and handwrite scores to complement your Sibelius workflow

Sibelius



Compose, arrange, share, and publish with the world's best-selling music notation software—on desktop and mobile.

STORAGE

Industry-proven shared and nearline storage systems for audio and video workflows

Avid NEXIS



Get real-time media production and collaboration with workflow-optimized tiered storage

STORAGE

Industry-proven shared and nearline storage systems for audio and video workflows

Avid NEXIS



Get real-time media production and collaboration with workflow-optimized tiered storage

VIDEO EDITING

Professional video editing software and hardware



Avid | Edit On Demand

Spin up a full editorial production environment fast, enable collaborative workflows, and work from anywhere



Media Composer

Create better stories faster with video editing and finishing software for independent editors and moviemakers



Media Composer | Cloud VM

With video editing virtual machine technology, Media Composer | Cloud VM offers top creative tools and media remotely, boosting collaboration and efficiency



Media Composer | Distributed Processing

Enable unused or idle computers to render and transcode media, freeing up Media Composer for video editing



Media Composer | Enterprise

Customize the Media Composer interface for any role and enable



Media Composer | NewsCutter Option

Add iNEWS and ENPS systems

collaboration from anywhere

integration to Media Composer for news editing



Media Composer | PhraseFind AI Option

Find the right clips fast with a powerful dialog indexing and search engine option for Media Composer



Media Composer | ScriptSync AI Option

Find the best takes and accelerate script-based editing with a powerful dialog search and sync option for Media Composer



Media Composer | Symphony Option

Add advanced color correction and Universal Mastering tools to Media Composer



Media Composer | Ultimate

Edit with ultimate speed, workflow integration, and team collaboration with the advanced PhraseFind AI, ScriptSync AI, Symphony Color Correction, NewsCutter, and remote over-the-shoulder collaboration included

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Strategic Integration for Industry x.0

PROCESS EXPERTS, TECHNICAL INNOVATORS

Energizing Automation – safely delivering digitally-enabled solutions that optimize and sustain your operations.



Smart Manufacturing

Bringing Industry x.0 to life



Trusted Advisors

Process Expertise, Partner's Technologies,
Practically Applied



xTend and xTensibility Automation Solutions and Services

Remotely design, deploy, optimize, and
maintain

Why Avid?

Our experts help define and implement the right technologies specific to your needs that empower your workforce to safely maintain and optimize the processes that drive profitability and client satisfaction.

Avid is committed to providing the innovators commercializing new technologies critical to public health, a circular economy, and the decarbonization of energy systems with technologies and operational expertise to reduce time to value, optimize processes, and

eliminate unplanned downtime.

Avid Capabilities

Here's what you get:

- ✓ End-User to Enterprise Strategic Integration
- ✓ Process Controls System Design
- ✓ Industrial Processes and Process Control
- ✓ Batch Process Design and Implementation
- ✓ IIoT Integration/Smart Manufacturing Programs
- ✓ MES/MOM
- ✓ OT Infrastructure
- ✓ Process Optimization/Advanced Analytics
- ✓ Condition Monitoring
- ✓ Vision

Industries We Serve

Avid Solutions leverages outcome-based engineering to drive operational excellence for our clients. We deliver business outcomes through assessments, roadmaps, and project delivery for industrial automation, electrical and instrumentation design and specification, and manufacturing intelligence.





Project Execution Excellence

On Scope, On Budget, On Time – Every Time!

1

Discovery and Design

Our Consultants partner with our clients to develop solutions that achieve project (business) objectives at the lowest risk and highest potential ROI.

2

Build

Our Engineers utilize advanced tools and techniques to produce robust and future-proofed solutions regardless of control system platform.

3

Deploy

Our Technicians deploy a fully tested system on-site, or remotely using the latest in collaborative technologies.

4

Sustain and Improve

We are committed to our customer's long-term safety and success. From 24/7 support to applications and technologies that enable smart manufacturing and process optimization.

Trusted by Leading Companies



Core Values in Action

Coca Cola Bottling has 2 critical projects at the Baltimore and Charlotte Plants that must get completed this year. The supply chain issues hit this project hard and late, threatening the schedules. Jessica, with all her other responsibilities worked tirelessly to find a substitute product brand of NATR from multiple vendors and maintain the schedule. Avid was able to get setup, orders submitted, and scheduled deliveries in time for the onsite setup.



Act Like an Owner



Our Promise to You

Our team will always deliver solutions that achieve your goals. We are results-driven and first and foremost committed to your success.



Technology



Expertise



Customer Success

Watch

avid solutions

INNOVATE. OPTIMIZE. TRANSFORM.

INNOVATE. OPTIMIZE. TRANSFORM.

Avid Solutions is a certified member of Control Systems Integrator Association (CSIA), meeting the association's membership qualifications that we have the business experience, size, and financial resources to qualify as a reliable engineering services supplier.

All Engineering Services in North Carolina are performed by Avid Engineering, P.A.



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United States Patent and Trademark Office (USPTO)

USPTO OFFICIAL NOTICE

Office Action (Official Letter) has issued
on February 8, 2024 for
U.S. Trademark Application Serial No. 97933905

A USPTO examining attorney has reviewed your trademark application and issued an Office action. You must respond to this Office action to avoid your application abandoning. Follow the steps below.

- (1) **[Read the Office action](#)**. This email is NOT the Office action.
- (2) **Respond to the Office action by the deadline** using the Trademark Electronic Application System (TEAS). Your response, or extension request, must be received by the USPTO on or before 11:59 p.m. **Eastern Time** of the last day of the response deadline. Otherwise, your application will be [abandoned](#). See the Office action itself regarding how to respond.
- (3) **Direct general questions** about using USPTO electronic forms, the USPTO [website](#), the application process, the status of your application, and whether there are outstanding deadlines to the [Trademark Assistance Center \(TAC\)](#).

After reading the Office action, address any question(s) regarding the specific content to the USPTO examining attorney identified in the Office action.

GENERAL GUIDANCE

- **[Check the status](#) of your application periodically** in the [Trademark Status & Document Retrieval \(TSDR\)](#) database to avoid missing critical deadlines.
- **[Update your correspondence email address](#)** to ensure you receive important USPTO notices about your application.
- **[Beware of trademark-related scams](#)**. Protect yourself from people and companies that may try to take financial advantage of you. Private companies may call you and pretend to be the USPTO or may send you communications that resemble official USPTO documents to trick you. We will never request your credit card number or social security number over the phone. Verify the correspondence originated from us by using your serial number in our database, [TSDR](#), to confirm that it appears under the “Documents” tab, or contact the [Trademark Assistance Center](#).
- **[Hiring a U.S.-licensed attorney](#)**. If you do not have an attorney and are not required to

have one under the trademark rules, we encourage you to hire a U.S.-licensed attorney specializing in trademark law to help guide you through the registration process. The USPTO examining attorney is not your attorney and cannot give you legal advice, but rather works for and represents the USPTO in trademark matters.